

1-1 By: Birdwell S.B. No. 1731  
 1-2 (In the Senate - Filed March 9, 2017; March 23, 2017, read  
 1-3 first time and referred to Committee on Business & Commerce;  
 1-4 April 24, 2017, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 24, 2017,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Hancock	X			
1-9 Creighton	X			
1-10 Campbell	X			
1-11 Estes	X			
1-12 Nichols	X			
1-13 Schwertner	X			
1-14 Taylor of Galveston	X			
1-15 Whitmire			X	
1-16 Zaffirini	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1731 By: Creighton

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the repeal of laws governing certain state entities,  
 1-22 including the functions of those entities.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. AGRICULTURE AND WILDLIFE RESEARCH AND MANAGEMENT  
 1-25 ADVISORY COMMITTEE. (a) The Agriculture and Wildlife Research and  
 1-26 Management Advisory Committee is abolished.

1-27 (b) Section 50.001, Agriculture Code, is amended to read as  
 1-28 follows:

1-29 Sec. 50.001. PROGRAM. The Texas Agricultural Experiment  
 1-30 Station[~~, in consultation with the Agriculture and Wildlife~~  
 1-31 ~~Research and Management Advisory Committee established under~~  
 1-32 ~~Section 88.216, Education Code,~~] shall develop and administer a  
 1-33 program to finance agriculture and wildlife research that the Texas  
 1-34 Agricultural Experiment Station determines to be of the highest  
 1-35 scientific merit and to offer significant promise in providing new  
 1-36 directions for long-term solutions to continued agriculture  
 1-37 production, water availability, and wildlife habitat availability.

1-38 (c) Section 88.216, Education Code, is repealed.

1-39 SECTION 2. STATE OF TEXAS ANNIVERSARY REMEMBRANCE DAY MEDAL  
 1-40 COMMITTEE. (a) The State of Texas Anniversary Remembrance Day  
 1-41 Medal Committee is abolished.

1-42 (b) Chapter 3103, Government Code, is repealed.

1-43 SECTION 3. TEXAS BIOENERGY POLICY COUNCIL AND TEXAS  
 1-44 BIOENERGY RESEARCH COMMITTEE. (a) The Texas Bioenergy Policy  
 1-45 Council and the Texas Bioenergy Research Committee are abolished.

1-46 (b) Chapter 50D, Agriculture Code, is repealed.

1-47 (c) To the extent of any conflict, this section prevails  
 1-48 over another Act of the 85th Legislature, Regular Session, 2017,  
 1-49 relating to nonsubstantive additions to and corrections in enacted  
 1-50 codes.

1-51 SECTION 4. BORDER SECURITY COUNCIL. (a) The Border  
 1-52 Security Council is abolished.

1-53 (b) Section 421.0025, Government Code, is repealed.

1-54 SECTION 5. COLLEGE OPPORTUNITY ACT COMMITTEE. (a) The  
 1-55 College Opportunity Act committee is abolished.

1-56 (b) Chapter 1233, Government Code, is repealed.

1-57 SECTION 6. TEXAS DISTINGUISHED SERVICE AWARDS COMMITTEE.  
 1-58 (a) The Texas Distinguished Service Awards Committee is  
 1-59 abolished.

1-60 (b) Chapter 3102, Government Code, is repealed.

2-1 SECTION 7. ADVISORY BOARD OF ECONOMIC DEVELOPMENT  
2-2 STAKEHOLDERS. (a) The advisory board of economic development  
2-3 stakeholders is abolished.

2-4 (b) Section 481.169, Government Code, is repealed.

2-5 SECTION 8. TEXAS EMISSIONS REDUCTION PLAN ADVISORY BOARD.  
2-6 (a) The Texas Emissions Reduction Plan Advisory Board is  
2-7 abolished.

2-8 (b) Sections 386.057(a) and (b), Health and Safety Code, are  
2-9 amended to read as follows:

2-10 (a) The commission~~[, in consultation with the advisory~~  
2-11 ~~board,]~~ annually shall review programs established under the plan,  
2-12 including each project funded under the plan, the amount granted  
2-13 for the project, the emissions reductions attributable to the  
2-14 project, and the cost-effectiveness of the project.

2-15 (b) Not later than December 1, 2002, and not later than  
2-16 December 1 of each subsequent second year, the commission~~[, in~~  
2-17 ~~consultation with the advisory board,]~~ shall publish and submit to  
2-18 the legislature a biennial plan report. The report must include:

2-19 (1) the information included in the annual reviews  
2-20 conducted under Subsection (a);

2-21 (2) specific information for individual projects as  
2-22 required by Subsection (c);

2-23 (3) information contained in reports received under  
2-24 Sections 386.205, 388.003(e), 388.006, and 391.104; and

2-25 (4) a summary of the commission's activities under  
2-26 Section 386.052.

2-27 (c) Section 386.104(f), Health and Safety Code, is amended  
2-28 to read as follows:

2-29 (f) A proposed retrofit, repower, replacement, or add-on  
2-30 equipment project must document, in a manner acceptable to the  
2-31 commission, a reduction in emissions of oxides of nitrogen of at  
2-32 least 30 percent compared with the baseline emissions adopted by  
2-33 the commission for the relevant engine year and application. After  
2-34 study of available emissions reduction technologies and~~[,]~~ after  
2-35 public notice and comment, ~~[and after consultation with the~~  
2-36 ~~advisory board,]~~ the commission may revise the minimum percentage  
2-37 reduction in emissions of oxides of nitrogen required by this  
2-38 subsection to improve the ability of the program to achieve its  
2-39 goals.

2-40 (d) Sections 386.107, 386.114, and 386.115, Health and  
2-41 Safety Code, are amended to read as follows:

2-42 Sec. 386.107. ADJUSTMENT TO MAXIMUM COST-EFFECTIVENESS  
2-43 AMOUNT AND AWARD AMOUNT. After study of available emissions  
2-44 reduction technologies and costs and after public notice and  
2-45 comment, the commission~~[, in consultation with the advisory board,]~~  
2-46 may change the values of the maximum grant award criteria  
2-47 established in Section 386.106 to account for inflation or to  
2-48 improve the ability of the program to achieve its goals.

2-49 Sec. 386.114. MODIFICATION OF INCENTIVE EMISSIONS  
2-50 STANDARDS. After evaluating new technologies and after public  
2-51 notice and comment, the commission~~[, in consultation with the~~  
2-52 ~~advisory board,]~~ may change the incentive emissions standards  
2-53 established by Section 386.113 to improve the ability of the  
2-54 program to achieve its goals.

2-55 Sec. 386.115. MODIFICATION OF VEHICLE ELIGIBILITY. After  
2-56 evaluating the availability of vehicles meeting the emissions  
2-57 standards and after public notice and comment, the commission~~[, in~~  
2-58 ~~consultation with the advisory board,]~~ may expand the program to  
2-59 include other on-road vehicles, regardless of fuel type used, that  
2-60 meet the emissions standards, have a gross vehicle weight rating of  
2-61 greater than 8,500 pounds, and are purchased or leased in lieu of a  
2-62 new on-road diesel.

2-63 (e) Section 386.252(d), Health and Safety Code, is amended  
2-64 to read as follows:

2-65 (d) The commission may reallocate money designated for the  
2-66 Texas natural gas vehicle grant program under Chapter 394 to other  
2-67 programs described under Subsection (a) if:

2-68 (1) the commission, in consultation with the governor  
2-69 ~~[and the advisory board,]~~ determines that the use of the money in

3-1 the fund for that program will cause the state to be in  
3-2 noncompliance with the state implementation plan to the extent that  
3-3 federal action is likely; and

3-4 (2) the commission finds that the reallocation of some  
3-5 or all of the funding for the program would resolve the  
3-6 noncompliance.

3-7 (f) Sections 394.005(a) and (g), Health and Safety Code, are  
3-8 amended to read as follows:

3-9 (a) The commission by rule shall establish criteria for  
3-10 prioritizing qualifying vehicles eligible to receive grants under  
3-11 this chapter. The commission shall review and revise the criteria  
3-12 as appropriate [~~after consultation with the advisory board~~].

3-13 (g) The commission shall establish baseline emission levels  
3-14 for emissions of nitrogen oxides for on-road heavy-duty or  
3-15 medium-duty motor vehicles being replaced by using the emission  
3-16 certification for the engine or vehicle being replaced. The  
3-17 commission may consider deterioration of the emission performance  
3-18 of the engine of the vehicle being replaced in establishing the  
3-19 baseline emission level. The commission may consider and establish  
3-20 baseline emission rates for additional pollutants of concern, as  
3-21 determined by the commission [~~after consultation with the advisory  
3-22 board~~].

3-23 (g) The following provisions of the Health and Safety Code  
3-24 are repealed:

- 3-25 (1) Section 386.001(1);
- 3-26 (2) Section 386.058; and
- 3-27 (3) Section 394.001(1).

3-28 SECTION 9. FIRE ANT RESEARCH AND MANAGEMENT ACCOUNT  
3-29 ADVISORY COMMITTEE. (a) The Fire Ant Research and Management  
3-30 Account Advisory Committee is abolished.

3-31 (b) The following provisions are repealed:

- 3-32 (1) Section 77.022, Agriculture Code; and
- 3-33 (2) Section 88.215, Education Code.

3-34 SECTION 10. This Act takes effect September 1, 2017.

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